

**REMARKS**

After the foregoing amendment, claims 1 and 3-15, as amended, are pending in the application. Claims 1, 3 and 11 have been amended to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claim 2 has been canceled. Applicants submit that no new matter has been added to the application by the Amendment.

**Claim Objections**

The Examiner objected to claim 11 for reciting "another resin" where there is no resin recited in the base claim. Applicants have amended claim 11 to be dependent on claim 9. Claim 9 recites that the wavelength converting portion is made of a resin. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to claim 11.

**Rejection - 35 U.S.C. § 102**

The Examiner rejected claims 1, 7-13 and 15 under 35 U.S.C. § 102 as being unpatentable over U.S. Patent No. 6,340,824 (Komoto et al.). Applicants respectfully traverse the rejection.

The Examiner stated that claim 2 was allowable if rewritten to include all the limitations of claim 1. Claim 1 has been amended with claim 2, making claim 1 allowable. Claims 7-13 and 15 depend from claim 1. Accordingly, claims 7-13 and 15 are allowable at least by their dependency on allowable claim 1. Accordingly Applicants respectfully request reconsideration and withdrawal of the §102 rejection of claims 1, 7-13 and 15. .

**Rejection - 35 U.S.C. § 103**

The Examiner rejected claims 4-5 under 35 U.S.C. § 103 as being unpatentable over Komoto et al. in view of U.S. Patent No. 6,417,019 (Mueller et al.). Applicants respectfully traverse the rejection.

Claim 1 has been made allowable by amending claim 1 with claim 2. Claim 2 recites an LED lamp in which the spectral transmittance of the filtering means corresponds to a wavelength dependence of an inverse change rate. Komoto does not teach or suggest that the spectral transmittance of the filtering means corresponds to a wavelength dependence of an inverse change rate. While Mueller discloses a phosphor material that selectively absorbs light, Mueller

does not teach or suggest that the spectral transmittance of the phosphor corresponds to a wavelength dependence of an inverse change rate as recited in amended claim 1. Accordingly, amended claim 1 is allowable over the combination of Komoto et al. and Mueller et al.

Since Amended claim 1 has been shown to be allowable over the combination of Komoto et al. and Mueller et al., claims 4-5 dependent on amended claim 1 are allowable, at least by their dependency on amended claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 103 rejection of Claims 4 and 5.

The Examiner further stated that claim 14 is rejected under 35 U.S.C. § 103 over Komoto et al. Claim 14 depends from amended claim 1. Claim 1 has been amended with claim 2 to make claim 1 allowable. Consequently, claim 14 is allowable at least by its dependency on allowable claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 103 rejection of claim 14.

#### **Allowable Subject Matter**

The Examiner objected to claims 2-3 and 6 as being dependent upon a rejected base claim but stated that claims 2-3 and 6 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicant has amended claim 1 to include all the limitations of claim 2 and has canceled claim 2. Claims 3 and 6 depend directly from amended claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to claims 2-3 and 6.

**Conclusion**

Insofar as the Examiner's objections and rejections have been fully addressed, the instant application, including claims 1 and 3-15, is in condition for allowance and Notice of Allowability of claims 1 and 3-15 is therefore earnestly solicited.

Respectfully submitted,

**TADASHI YANO ET AL.**

March 25, 2005  
(Date)

By:

  
**LOUIS SICKLES II**

Registration No. 45,803

**AKIN GUMP STRAUSS HAUER & FELD LLP**

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

**Direct Dial: 215-965-1294**

Facsimile: 215-965-1210

E-Mail: lsickles@akingump.com

LS/lcd